

U.S. Department of Justice

United States Attorney
Southern District of New York

86 Chambers Street, 3rd Floor
New York, New York 10007

January 17, 2008

The compl. is dismissed
and tomorrow's conf. is
Cancelled. The clerk shall
mark the file as closed.
Jan. 17-08
Am. (highlight)

BY FACSIMILE

Hon. Alvin K. Hellerstein
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Suite 1050
New York, New York 10007
Facsimile: (212) 805-7942

Re: *Gujjar v. Quarantillo, et al., 07 Civ. 7978 (AKH)*

Dear Judge Hellerstein:

This Office represents the defendants in the above-referenced action, which seeks to compel the Federal Bureau of Investigations to complete its background check of the plaintiff so that the Citizenship and Immigration Service (CIS) can finish processing plaintiff's application for naturalization. I write to report that CIS has now completed its review of plaintiff's application and has, by decision dated today, denied him naturalization because (1) he gave false testimony during his interview by CIS, indicating a lack of good moral character; and (2) as a result of the false information, CIS was also unable to conclude that he otherwise met the statutory prerequisites for naturalization, particularly the physical presence or continuity of residence requirements. A copy of the decision is enclosed.

CIS's decision provides plaintiff with all of the relief he requested, and so moots this action. The Government therefore respectfully requests that the action be dismissed as moot and that the conference scheduled for tomorrow, January 18, 2008, be cancelled; plaintiff consents to both of these requests.¹

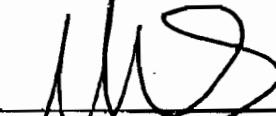
¹ After exhausting the appropriate administrative remedies, plaintiff may seek judicial review of the denial of naturalization. The parties agree, however, that any such review would be in a separate proceeding, and that this case should be closed.

Thank you for your consideration of this request.

Respectfully,

MICHAEL J. GARCIA
United States Attorney

By:


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enclosure

cc: BY FACSIMILE

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